
Document:23 V.S.A. § 304

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Current through all acts of the Regular and Adjourned Sessions of the 2023-2024 Vermont General Assembly

[Vermont Statutes Annotated](#) [Title 23 Motor Vehicles \(Chs. 1 – 41\)](#) [Chapter 7. Registration \(Subchs. 1 – 5\)](#) [Subchapter 1. General Registration \(Arts. 1 – 2\)](#)
[Article 1. General Provisions \(§§ 301 – 314\)](#)

§ 304. Registration certificates; number plates; vanity and other special plates

(a) The Commissioner shall issue to the registrant of a motor vehicle a certificate of registration in the form the Commissioner may prescribe, on which shall appear the name of the registrant, his or her address, a brief description of the vehicle registered, and the date of registration. The Commissioner shall also assign to each motor vehicle registered a distinctive number and issue a number plate or plates showing the assigned number. The number plate or plates issued shall be of the material, size, shape, and color, and with the numerals or letters thereon, the Commissioner may determine, and shall be reflectorized in part or in whole. The certificate and number plates shall be delivered free of charge by the Commissioner to the registrant as soon as may be after receipt and acceptance of application for registration.

(b) The authority to issue vanity motor vehicle number plates or special number plates for safety organizations and service organizations shall reside with the Commissioner. Determination of compliance with the criteria contained in this section shall be within the discretion of the Commissioner. Series of number plates for safety and service organizations that are authorized by the Commissioner shall be issued in order of approval, subject to the operating considerations in the Department as determined by the Commissioner. The Commissioner shall issue vanity and special organization number plates in the following

manner:

(1) *Vanity plates.* Subject to the restrictions of this section, vanity plates shall be issued at the request of the registrant of a motor vehicle unless the vehicle is registered under the International Registration Plan, upon application and upon payment of an annual fee of \$58.00 in addition to the annual fee for registration. The Commissioner shall not issue two sets of plates bearing the same initials or letters unless the plates also contain a distinguishing number. Vanity plates are subject to reassignment if not renewed within 60 days of expiration of the registration.

(2) *Special organization plates.*

(A) For the purposes of this section:

(i) "Safety organizations" are groups that provide police and fire protection, rescue squads, the Vermont National Guard, organizations required to respond to public emergencies, and amateur radio operators licensed by the U.S. Federal Communications Commission. To qualify for a special organization plate, safety organizations must have at least 100 in-state members in good standing.

(ii) "Service organization" includes congressionally chartered or noncongressionally chartered U.S. Military Service veterans' groups and any group that:

(I) has as a primary purpose service to the community through specific programs for the improvement of public health, education, or environmental awareness and conservation and is not limited to social activities;

(II) has nonprofit status under Section 501(c)(3) or (10) of the U.S. Internal Revenue Code, as amended;

(III) is registered as a nonprofit corporation with the Office of the Secretary of State; and

(IV) except for a military veterans group, has at least 100 in-state members in good standing.

(B) The officer of a safety organization or service organization may apply to the Commissioner to approve special plates indicating membership in a qualifying organization to be issued to organization members for a \$21.00 special fee for each set of plates in addition to the annual fee for registration. The application shall include designation of an officer or member to serve as the principal contact with the Department and a distinctive name or emblem, or both, for use on the proposed special plate. The name and emblem shall not be objectively obscene or confusing to the general public and shall not promote, advertise, or endorse a product, brand, or service provided for sale. The organization's name and emblem must not infringe on or violate a trademark, trade name, service mark, copyright, or other proprietary or property right, and the organization must have the right to use the name and emblem. After consulting with the principal contact, the Commissioner shall determine the design of the special plate on the basis that the primary purpose of motor vehicle number plates is vehicle identification. An organization may have only one design, regardless of the number of individual organizational units, squads, or departments within the State that may conduct the same or substantially similar activities.

(C) After the plate design is finalized and an officer or the principal contact provides the Commissioner a written statement authorizing issuance of the plates, the organization shall deposit \$2,600.00 with the Commissioner. Of this deposit, \$500.00 shall be retained by the Department to recover costs of developing the organization plate. Notwithstanding 32 V.S.A. § 502, the Commissioner may charge the actual costs of production of the plates against the fees collected and the balance shall be deposited in the Transportation Fund. Upon application, special plates shall be issued to a registrant of a vehicle registered at the pleasure car rate or of a truck registered for less than 26,001 pounds (but excluding trucks registered

under the International Registration Plan) who furnishes the Commissioner satisfactory proof that the registrant is a member of an organization that has satisfied the requirements of this subdivision (b)(2). For each of the first 100 applicants to whom sets of plates are issued, the \$21.00 special plate fee shall not be collected and shall be subtracted from the balance of the deposit. When the \$2,100.00 balance of the deposit is depleted, applicants shall be required to pay the \$21.00 fee as provided for in subdivision (2)(B) of this subsection. No organization shall charge its members any additional fee or premium charge for the authorization, right, or privilege to display special number plates, but any organization may recover up to \$2,100.00 from applicants for the special plates.

(D) When an individual's membership in a qualifying organization ceases or is terminated, the individual shall immediately surrender any special registration plates issued under this subsection to the Commissioner. However, a retired member of the Vermont National Guard may renew or, upon payment of a \$10.00 fee, acquire the special guard plates after notification of eligibility for retired pay has been received.

(c) The Commissioner shall issue registration numbers 101 through 9999, which shall be known as reserved registration numbers, for pleasure cars, trucks registered for less than 26,001 pounds, and motorcycles in the following manner:

(1) A person holding a reserved registration number may retain the number for the ensuing registration period, provided application is made at least 60 days prior to expiration of the registration.

(2) If the registrant does not renew the registration, the number may be reassigned to a member of the immediate family if application is made at least 60 days prior to expiration of the registration. As used in this subsection, "immediate family" means the spouse, household member, grandparents, parents, siblings, children, or grandchildren of the registrant.

(3) The Commissioner shall restrict the issuance of these registrations to residents of this State and may restrict issuance to applicants who do not already have such a registration issued to them.

(4) A person holding a reserved registration number on a pleasure car, a truck registered for less than 26,001 pounds, or a motorcycle may be issued the same reserved registration number for the other authorized vehicle types, provided that the person receives not more than one such plate or set of plates for each authorized vehicle type.

(d) Vanity or special organization number plates, whether new or renewed, shall be issued in any combination or succession of numerals and letters, provided the total of the numbers and letters on any plate taken together does not exceed seven, and further provided the requested combination of letters and numerals does not duplicate or resemble a regular issue registration plate. The Commissioner may adopt rules for the issuance of vanity or special organization number plates to ensure that all plates serve the primary purpose of vehicle identification. The Commissioner may revoke any plate described in this subsection and shall not issue plates with combinations of letters or numbers that objectively, in any language:

(1) are vulgar, scatological, or obscene, or constitute racial or ethnic epithets;

(2) connote breast, genitalia, pubic area, or buttocks or relate to sexual or eliminatory functions;

(3) refer to any intoxicant or drug; to the use, nonuse, distribution, or sale of an intoxicant or drug; or to a user, nonuser, or purveyor of an intoxicant or drug;

(4) refer to gender, gender identity, sexual orientation, or disability status;

(5) suggest a government or governmental agency;

(6) suggest a privilege not given by law in this State; or

(7) form a slang term, abbreviation, phonetic spelling, or mirror image of a word described in subdivisions (1) through (6) of this subsection.

(e) [Repealed.]

(f) Upon the request of a registrant of a motor vehicle with the previous issue number plates, the Commissioner shall issue current issue number plates bearing the same number as shown on the previous issue plates that are being replaced. The initial one-time fee for the plates shall be \$29.00 in addition to the regular registration fee. Official plates and plates with numbers of 9999 or lower are specifically exempted.

(g) Number plates bearing the Vermont Coat of Arms may be issued only to the Governor, members of the Vermont congressional delegation, and members of the General Assembly.

(h) The Department, on a quarterly basis, shall provide information to licensed inspection stations for distribution to the owners of motor vehicles during the annual inspection of their motor vehicles. That information shall encourage the proper management of used oil and shall include the telephone number of a recycling hotline that residents may call to determine the availability of a collection service that accepts used oil at the curb or otherwise to find the nearest location to recycle used oil.

(i) The Department and the Agency of Natural Resources shall work cooperatively regarding opportunities to provide information to the public with respect to the proper management of used oil and shall take appropriate steps to implement efficient and effective information distribution measures mutually agreed upon by the Department and the Agency.

(j) The Commissioner of Motor Vehicles shall, upon proper application, issue special plates to Vermont veterans, as defined in 38 U.S.C. § 101(2) and including an individual disabled during active military, naval, air, or space service, as defined in 38 U.S.C. § 101(24), and to members of the U.S. Armed Forces, as defined in 38 U.S.C. § 101(10), for use on vehicles registered at the pleasure car rate, on vehicles registered at the motorcycle rate, and on trucks registered for less than 26,001 pounds and excluding vehicles registered under the International Registration Plan. The type and style of the plates shall be determined by the Commissioner and the Vermont Office of Veterans' Affairs. An applicant shall apply on a form prescribed by the Commissioner, and the applicant's eligibility as a member of one of the groups recognized will be certified by the Office of Veterans' Affairs. The plates shall be reissued only to the original holder of the plates or the surviving spouse. The Commissioner may adopt rules to implement the provisions of this subsection. Except for new or renewed registrations, applications for the issuance of plates under this subsection shall be processed in the order received by the Department subject to normal workflow considerations. The costs associated with developing new emblems shall be borne by the Department of Motor Vehicles.

(k)

(1) The Commissioner of Motor Vehicles shall, upon proper application, issue special gold star and next-of-kin plates for use only on vehicles registered at the pleasure car rate and on trucks registered for less than 26,001 pounds and excluding vehicles registered under the International Registration Plan, as follows:

(A) Gold star plates shall be issued to the widow or widower, parents, and next of kin as defined in 10 U.S.C. § 1126(d) of members of the U.S. Armed Forces who lost their lives under the circumstances described in 10 U.S.C. § 1126(a).

(B) Next-of-kin plates shall be issued to the widow or widower, parents, and next of kin as defined in 10 U.S.C. § 1126(d) of members of the Armed Forces not eligible for gold star plates under subdivision (A) of this subdivision (1) who lost their lives while serving on active duty or on active duty for training, or while assigned in a Reserve or National Guard unit in drill status, or as a result of injury or illness incurred during such service or assignment.

(2) The type and style of the gold star and next-of-kin plates shall be determined by the Commissioner and the Vermont Office of Veterans' Affairs, except that a gold star shall appear on one side of gold star plates and a distinct emblem shall be approved for next-of-kin plates. An applicant shall apply on a form prescribed by the Commissioner, and the applicant's eligibility will be certified by the Office of Veterans' Affairs. A plate shall be reissued only to the original holder of the plate. The Commissioner may adopt rules to implement the provisions of this subsection. Except for new or renewed registrations, applications for the issuance of gold star or next-of-kin plates shall be processed in the order received by the Department subject to normal workflow considerations.

(I) Not later than July 1, 2026, the Commissioner shall begin issuing number and vanity plates for plug-in electric vehicles, as defined in subdivision 4(85) of this title, indicating that the vehicle is a plug-in electric vehicle. Not later than July 1, 2028, all plug-in electric vehicles registered in this State shall display plates indicating that the vehicle is a plug-in electric vehicle.

History

Amended 1961, No. 54, § 2, eff. April 1, 1962; 1965, No. 154, § 1; 1967, No. 129, § 2; 1975, No. 218 (Adj. Sess.), § 7, eff. April 1, 1976; 1977, No. 258 (Adj. Sess.), §§ 1, 2, eff. April 19, 1978; 1979, No. 190 (Adj. Sess.), § 1; 1987, No. 112, § 5; 1987, No. 230 (Adj. Sess.); 1987, No. 241 (Adj. Sess.), § 13; 1989, No. 51, § 11; 1989, No. 82, § 1, eff. Jan. 1, 1990; 1991, No. 178 (Adj. Sess.), § 1, eff. Dec. 1, 1992; 1993, No. 220 (Adj. Sess.), § 2; 1993, No. 233 (Adj. Sess.), § 93, eff. June 21, 1994; 1995, No. 49, § 3, eff. April 20, 1995; 1995, No. 112 (Adj. Sess.), § 4; 1995, No. 189 (Adj. Sess.), § 17; 1997, No. 85 (Adj. Sess.), §§ 1, 2; 1997, No. 85 (Adj. Sess.), § 3, eff. Nov. 11, 1998; 1999, No. 1, § 77c, eff. March 31, 1999; 1999, No. 155 (Adj. Sess.), § 12e; 2001, No. 102 (Adj. Sess.), § 6, eff. May 15, 2002; 2003, No. 109 (Adj. Sess.), §§ 1, 2; 2003, No. 160 (Adj. Sess.), § 62, eff. June 9, 2004; 2005, No. 175 (Adj. Sess.), § 27; 2007, No. 61, § 3; 2007, No. 181 (Adj. Sess.), §§ 1-3, eff. May 30, 2008; 2009, No. 50, § 37; 2011, No. 46, § 3; 2011, No. 128 (Adj. Sess.), § 11; 2011, No. 164 (Adj. Sess.), § 12; 2013, No. 189 (Adj. Sess.), § 2; 2015, No. 159 (Adj. Sess.), § 8; 2019, No. 131 (Adj. Sess.), § 139; 2023, No. 78, § G.103, eff. January 1, 2024; 2023, No. 85 (Adj. Sess.), § 264, eff. July 1, 2024; 2023, No. 165 (Adj. Sess.), §§ 12, 49, eff. July 1, 2024; 2023, No. 165 (Adj. Sess.), § 39, eff. June 6, 2024.

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